

APPENDICES

APPENDIX A

DEPARTMENT RIGHTS AND DISCLAIMERS

Rights Reserved

The Department reserves all rights available by law in processing PPTA proposals, including, without limitation, the sole and unfettered right to:

- Reject any and all proposals at any time;
- Terminate evaluation of any and all proposals at any time;
- Suspend, discontinue and/or terminate interim or comprehensive agreement negotiations with any proposer at any time prior to the actual authorized execution of such agreement by all parties, subject to appropriate documentation;
- Negotiate with a proposer without being bound by any provision in the proposal;
- Request or obtain additional information about any proposals;
- Issue addenda to, and/or cancel, any Solicitation for Proposal (SFP);
- Revise, supplement or withdraw all or any part of these guidelines;
- Decline to return any and all fees required to be paid by proposers as part of the evaluation process; and
- Request revisions to conceptual or detailed proposals.

Disclaimers and Conditions for PPTA Proposals

- Neither the Commonwealth nor any of its political subdivisions, agencies, or employees shall be liable for, or reimburse, the costs incurred by proposers, whether or not selected for negotiations, in developing proposals or in negotiating agreements;
- Any and all information made available to proposers is made for convenience purposes only, and is without representation or warranty of any kind;

- Proposers must submit questions concerning the PPTA process in writing to the designated representative of the Department, who will coordinate a response in writing; proposers may not rely on oral responses to inquiries;
- The proposal must be submitted to the responsible public entity that has, or may assert, the power itself to perform the functions the proposer seeks to perform with respect to at least part of the specified transportation facilities. The Department reserves the sole right to make this determination for any proposal submitted to the Department.